

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
v.	:	No. 22-CR-215
REUBEN KING	:	

STATUS REPORT REGARDING THIRD-PARTY ANCILLARY PETITION

The government has received the third-party ancillary petition that claimant Jonathan Blank submitted in accordance with Federal Rule of Criminal Procedure 32.2(c) and 21 U.S.C. § 853(n). In his petition, Mr. Blank claims an interest in the Savage 67E shotgun, caliber 410, serial number E574737.

The ancillary petition was docketed as a “request for return of property.” Pursuant to Federal Rule of Criminal Procedure 32.2(c) and 21 U.S.C. § 853(n), Mr. Blank’s potential interest must be adjudicated as a third-party ancillary claim, and not a motion for return of property pursuant to Federal Rule of Criminal Procedure 41(g). Indeed, the docketed material is the standard ancillary-petition form from www.forfeiture.gov. Accordingly, the government intends to proceed with civil discovery to investigate the merits of Mr. Blank’s asserted interest, as provided in the January 19, 2024, Preliminary Order of Forfeiture. (ECF 78 at ¶ 6).

Defendant Reuben King has filed a notice of appeal. (ECF 81). He has not, however, moved for a stay of forfeiture, pursuant to Federal Rule of Criminal Procedure 32.2(d). Even if a stay had been entered, however, it would not delay the ancillary proceeding or determination of a third party’s rights or interest. *See* Fed. R. Crim. P. 32.2(d). The pendency of the appeal does,

however, prevent the transfer of any property interest to Mr. Blank until the decision on appeal becomes final, unless the defendant consents in writing or on the record. *See id.*

If the merits of Mr. Blank's asserted interest cannot be resolved through discovery and become a matter of ongoing factual or legal dispute, the government will notify the Court.

Respectfully submitted,

JACQUELINE C. ROMERO
United States Attorney

/s/ Elizabeth M. Ray
ELIZABETH M. RAY
Assistant United States Attorney

Date: February 15, 2024

CERTIFICATE OF SERVICE

I certify that a copy of the Government's Status Report Regarding Third-Party Ancillary Petition has been filed electronically in the Clerk's Office Electronic Case Filing (ECF) system and is available for viewing and downloading from the ECF system. The document has also been served via first-class mail upon:

Mr. Jonathan Blank
340 Buck Hill Road
Paradise, PA 17562

/s/ Elizabeth M. Ray
ELIZABETH M. RAY
Assistant United States Attorney

Date: February 15, 2024